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DAU

Attorney Docket No. 5649-1175

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Sung-Min Kim et al.

Confirm. No.: 5373

Serial No.: 10/715,664

Group Art Unit: 2811

Filed: November 18, 2004

For: **DOUBLE GATE MOS TRANSISTORS AND METHODS OF  
MANUFACTURING DOUBLE GATE MOS TRANSISTORS**

Date: March 5, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of November 18, 2003 rather than November 19, 2003, as the application was deposited as "Express Mail" in the U.S. Postal Service on November 18, 2003. The following is enclosed as evidence that November 18, 2003 is the correct filing date for the application, which was filed properly under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the stamped Express Mail Receipt, along with a copy of the USPS-Track & Confirm from the web page, showing "acceptance" or deposit with the USPS on November 18, 2003 at 5:28 p.m.; and
3. True and accurate copies of our return post card and the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicants were improperly given the filing date of November 19, 2003 instead of the Express Mail date of November 18, 2003.

This petition is being filed promptly after Applicants became aware of the improperly accorded filing date. Accordingly, Applicants respectfully request the granting of November 18, 2003 as the filing date pursuant to 37 CFR § 1.10.

As applicants properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505, this petition is being filed due to error on the part of the USPTO. Accordingly, Applicants believe that no fee is due; however,

In re: Sung-Min Kim et al.  
Serial No.: 10/715,664  
Filed: November 18, 2004  
Page 2 of 2

the Commissioner is authorized to charge any deficiency or credit any overpayment to  
Deposit Account No. 50-0220.

Respectfully submitted,

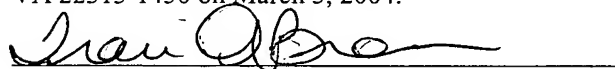


Timothy J. O'Sullivan  
Registration No. 35,632

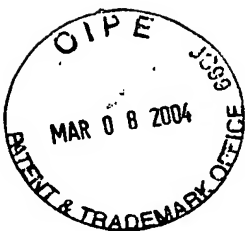
USPTO Customer No. 20792  
Myers Bigel Sibley & Sajovec, P.A.  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Our File No. 5649-1175

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 5, 2004.



Traci A. Brown



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1175

DATE: November 18, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COPY**

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: \_\_\_\_\_; filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference in its entirety.  
☐ and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

**Sung-Min Kim** – Incheon, Republic of Korea; **Dong-Gun Park** – Gyeonggi-do, Republic of Korea;  
**Chang-Sub Lee** – Gyeonggi-do, Republic of Korea; **Jeong-Dong Choe** – Gyeonggi-do, Republic of Korea;  
**Shin-Ae Lee** – Seoul, Republic of Korea; **Seong-Ho Kim** – Gyeonggi-do, Republic of Korea

Entitled: **DOUBLE GATE MOS TRANSISTORS AND METHODS OF MANUFACTURING  
DOUBLE GATE MOS TRANSISTORS**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 28 pages of Specification (including 36 claims)
3. ☒ 16 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☒ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*)) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*)


9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.  
 10. ☒ Information Disclosure Statement, PTO-1449, and 1 reference cited  
 11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)  
 12. ☐ English Translation Document  
 13. ☒ Certified Copy of Korean Application No. 10-2003-0003807; Filed January 20, 2003  
 14. ☐ Sequence Listing/ Sequence Listing Diskette  
     a. ☐ computer readable copy  
     b. ☐ paper copy  
     c. ☐ statement in support  
 15. ☐ An Associate Power of Attorney  
 16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)  
 17. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate      Fee	Large Entity Rate      Fee
BASIC FEE			\$385.00	\$770.00
TOTAL CLAIMS	36 - 20 =	16	x 09 = \$	x 18 = \$288.00
INDEP CLAIMS	5 - 3 =	2	x 43 = \$	x 86 = \$172.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$	Total \$1230.00

- ☐ A check in the amount of \$            to cover the filing fee is enclosed.  
☒ A check in the amount of \$1270.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).  
☐ Please charge my Deposit Account No. 50-0220 in the amount of \$            .  
☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:  
     a. ☐ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.  
     b. ☐ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
 Timothy J. O'Sullivan

Registration No. 35,632

#### CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV 353594397 US

Date of Deposit: November 18, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Washington, DC 20231.

  
 Traci A. Brown



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Date In Mo. Day Year 11 18 2003	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 17.05
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Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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<input type="checkbox"/> <b>WAVES OF SIGNATURE (Domestic Only)</b> Additional merchandise insurance is void if a waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. (If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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## TO: (PLEASE PRINT)

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P.O. Box 1450  
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- ARRIVAL AT UNIT, November 19, 2003, 8:00 am, DULLES, VA 20102
- ENROUTE, November 18, 2003, 7:32 pm, RALEIGH, NC 27623
- ACCEPTANCE, November 18, 2003, 5:28 pm, RALEIGH, NC 27612

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**MS. Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450 11-28-03 A09:53

TJ0146

Date: 11/18/03

Doc. No. 5649-1175

Serial No. 11

Inventor: Kim et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below  
by placing your receiving stamp hereon and return mailing:

☒ Application Transmittal and:

☒ Specification pages 28

☒ No. of Claims 36

☒ Declaration & POA

☒ Assignment and Fee

☒ Small Entity Statement

☒ Formal Drawings/ 16 sheets

☒ Associate Power of Attorney

☒ Exp. Mail ☐ 1st Class Mail

Other: \_\_\_\_\_

☒ Check \$

☒ IDS & PTO-1449 & 1 refs. cited

☐ Amendment & Amend. Transmittal

☐ Preliminary Amendment

☐ Issue Fee

☐ Brief

☐ Appeal

☐ Submittal of Priority Doc.

17858 U.S. PTO

10/715664

Respectfully submitted,

MYERS BIGEL SIBLEY & SAJOVEC, P.A. 111903

Attorneys for Applicant

